

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TREBCO SPECIALTY PRODUCTS INC.,)
Plaintiff,) Case No.: 1:22-cv-00655-ER
v.)
THE INDIVIDUALS, CORPORATIONS,)
LIMITED LIABILITY COMPANIES,)
PARTNERSHIPS, AND UNINCORPORATED)
ASSOCIATIONS IDENTIFIED ON)
SCHEDULE A HERETO,)
Defendants.)

PRELIMINARY INJUNCTION ORDER

THIS MATTER comes before the Court on Plaintiff TREBCO SPECIALITY PRODUCTS INC.'s application, brought by way of Order to Show Cause, for entry of a Preliminary Injunction (the "Application") against the Defendants identified on Schedule A to the Preliminary Injunction Order (collectively, the "Defendants") and using at least the domain names identified in the Schedule A to the Preliminary Injunction Order (the "Defendant Domain Names") and the online marketplace accounts identified in the Schedule A to the Preliminary Injunction Order (the "Online Marketplace Accounts"); and

THE COURT having reviewed the papers in support of and in opposition to the Application (if any); and the Court having found that Plaintiff meets the criteria for entry of preliminary injunctive relief; and

This Court further finds that it has personal jurisdiction over the Defendants because the Defendants directly target their business activities toward consumers in the United States, including New York, by offering to sell and accepting orders to ship products into this Judicial

District. Specifically, Defendants do business with New York residents by operating one or more commercial, interactive Internet Stores through which New York residents can purchase and have shipped to New York products bearing counterfeit versions of the WUBBANUB products incorporating Plaintiff's copyrights, specifically Plaintiff's U.S. Copyright Office Registration Nos. VA0002161098, VA0002161101, VA0002161102, VA0002161097, VA0002162075, VA0002161100, VA0002161099, and VA0002161092 (the "WUBBANUB Copyrights" or "WUBBANUB Copyright Registrations"); and

THIS COURT having determined that the evidence submitted in support of the Application establishes Plaintiff has a likelihood of success on the merits; that no remedy at law exists; and that Plaintiff will suffer irreparable harm if the injunction is not granted including for example

1. Through the Declarations of Michael Yellin and Carla Schneider and accompanying evidence, Plaintiff has proved a prima facie case of copyright infringement because Defendants have copied Plaintiff's copyrights for the WUBBANUB products without Plaintiff's consent; and
2. Defendants' continued and unauthorized use of the WUBBANUB Copyrights irreparably harms Plaintiff through diminished goodwill and brand confidence, damage to Plaintiff's reputation, loss of exclusivity, and loss of future sales.
3. Monetary damages fail to address such damage and, therefore, Plaintiff has an inadequate remedy at law; and
4. The public interest is served by entry of this Preliminary Injunction to dispel the public confusion created by Defendants' actions; and

THIS COURT having determined, therefore, that injunctive relief previously granted in the Temporary Restraining Order (“TRO”) on January 26, 2022 [Dkt. No. 15] should remain in place through the pendency of this litigation and that issuing this Preliminary Injunction is warranted under the Federal Rule of Civil Procedure 65;

NOW THEREFORE, on this 22nd day of February, 2022, this Court ORDERS that:

1. Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under or in active concert with them be temporarily enjoined and restrained from:
 - a. Using Plaintiff's WUBBANUB Copyrights, or any reproductions, counterfeit copies, or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine WUBBANUB product or not authorized by Plaintiff to be sold in connection with Plaintiff's WUBBANUB Copyrights;
 - b. Passing off, inducing, or enabling others to sell or pass off any product as a genuine WUBBANUB product or any other product produced by Plaintiff, that is not Plaintiff's or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for sale under the Plaintiff's WUBBANUB Copyrights;
 - c. Committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
 - d. Further infringing the Plaintiff's WUBBANUB Copyrights and damaging Plaintiff's goodwill;

- e. Otherwise competing unfairly with Plaintiff in any manner;
- f. Shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any of Plaintiff's WUBBANUB Copyrights or any reproductions, counterfeit copies, or colorable imitations thereof;
- g. Using, linking to, transferring, selling, exercising control over, or otherwise owning the Online Marketplace Accounts, the Defendant Domain Names, or any other domain name or online marketplace account that is being used to sell or is the means by which Defendants could continue to sell counterfeit WUBBANUB products; and
- h. Operating and/or hosting websites at the Defendant Domain Names and any other domain names registered or operated by Defendants that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product bearing the Plaintiff's WUBBANUB Copyrights or any reproductions, counterfeit copies, or colorable imitations thereof that is not a genuine WUBBANUB product or not authorized by Plaintiff to be sold in connection with the Plaintiff's WUBBANUB Copyrights.

2. Each Defendant, within fourteen (14) days after receiving notice of this Order, shall serve upon Plaintiff a written report under oath providing: (a) their true name and physical address, (b) all websites and online marketplace accounts on any platform that they own and/or operate (c) their financial accounts, including all Amazon, PayPal, Payoneer, LianLian, AllPay, Ping Pong, Coinbase, Union Mobile, Lakala Payments, OFX, PayEco, Sellers Funding, Currenzie, Stripe, Chime, and eBay accounts, and (d) the steps taken by each Defendant to comply with paragraph 1, a through h, above.

3. The domain name registries for the Defendant Domain Names, including, but not Limited to, VeriSign, Inc., Neustar, Inc., Afilias Limited, CentralNic, Nominet, and the Public Interest Registry, within three (3) business days of receipt of this Order or prior to expiration of this Order, whichever date shall occur first, shall disable the Defendant Domain Names and make them inactive and untransferable until further ordered by this Court.

4. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as Amazon, Wish, DHGate, AliExpress, and eBay, social media platforms such as Facebook, YouTube, LinkedIn, and Twitter, Internet search engines such as Google, Bing, and Yahoo, web hosts for the Defendant Domain Names, and domain name registrars, shall within three (3) business days of receipt of this Order:

- a. disable and cease providing services for any accounts through which Defendants engage in the sale of counterfeit and infringing goods using the WUBBANUB Copyrights, including any accounts associated with the Defendants listed on the Schedule A to the Preliminary Injunction Order;
- b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the WUBBANUB Copyrights; and
- c. take all steps necessary to prevent links to the Defendant Domain Names identified on the Schedule A to the Preliminary Injunction Order from displaying in search results, including, but not limited to, removing links to the Defendant Domain Names from any search index.

5. Defendants and any third party with actual notice of this Order who is providing services for any of the Defendants, or in connection with any of Defendants' websites at the

Defendant Domain Names or other websites operated by Defendants, including, without limitation, any online marketplace platforms such as Amazon, Wish, DHGate, AliExpress, eBay, Facebook, Internet Service Providers (“ISP”), web hosts, back-end service providers, web designers, sponsored search engine or ad-word providers, banks, merchant account providers, including Amazon, PayPal, Payoneer, LianLian, AllPay, Ping Pong, Coinbase, Union Mobile, Lakala Payments, OFX, PayEco, Sellers Funding, Currenxe, Stripe, Chime, and eBay, third party processors and other payment processing service providers, shippers, and domain name registrars (collectively, the “Third Party Providers”) shall, within five (5) business days after receipt of such notice, provide to Plaintiff expedited discovery, including copies of all documents and records in such person’s or entity’s possession or control relating to:

- a. The identities and locations of Defendants, their agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including all known contact information;
- b. The nature of Defendants’ operations and all associated sales and financial information, including, without limitation, identifying information associated with the Online Marketplace Accounts, the Defendant Domain Names, and Defendants’ financial accounts, as well as providing a full accounting of Defendants’ sales and listing history related to their respective Online Marketplace Accounts and Defendant Domain Names;
- c. Defendants’ websites and/or any Online Marketplace Accounts;
- d. The Defendant Domain Names or any domain name registered by Defendants; and
- e. Any financial accounts owned or controlled by Defendants, including their agents, servants, employees, confederates, attorneys, and any persons acting in concert or

participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, Amazon, PayPal, Payoneer, LianLian, AllPay, Ping Pong, Coinbase, Union Mobile, Lakala Payments, OFX, PayEco, Sellers Funding, Currenzie, Stripe, Chime, and eBay, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

6. Defendants and any persons in active concert or participation with them who have actual notice of this Order shall be temporarily restrained and enjoined from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.

7. Western Union shall, within five (5) business days of receipt of this Order, block any Western Union money transfers and funds from being received by the Defendants identified in Schedule A to the Preliminary Injunction Order until further ordered by this Court.

8. Amazon, Wish, DHGate, AliExpress, and eBay, shall within five (5) business days of receipt of this Order, for any Defendant or any of Defendants' Online Marketplace Accounts or websites:

a. Locate all accounts and funds connected to and related to Defendants, Defendants' Online Marketplace Accounts or Defendants' websites, including, but not limited to, any Amazon, PayPal, Payoneer, LianLian, AllPay, Ping Pong, Coinbase, Union Mobile, Lakala Payments, OFX, PayEco, Sellers Funding, Currenzie, Stripe, Chime, and eBay accounts connected to and related to the information listed in Schedule A to the Preliminary Injunction Order; and

b. Restraine and enjoin any such accounts or funds from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.

9. Any banks, savings and loan associations, payment processors, or other financial institutions, for any Defendant or any of Defendants' Online Marketplace Accounts or websites, shall within five (5) business days of receipt of this Order:

- a. Locate all accounts and funds connected to Defendants, Defendants' Online Marketplace Accounts or Defendants' websites, including, but not limited to, any accounts connected to the information listed in the Schedule A to the Preliminary Injunction Order; and
- b. Restrain and enjoin such accounts from receiving, transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.

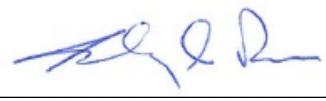
10. Plaintiff may provide notice of these proceedings to Defendants by electronically publishing a link to the Complaint, this Order and other relevant documents on a website or by sending an e-mail to all e-mail addresses identified by Plaintiff and any e-mail addresses provided for Defendants by third parties that includes a link to said website. The combination of providing notice via electronic publication or e-mail, along with any notice that Defendants receive from domain name registrars and payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

11. Plaintiff's Schedule A to the Complaint, Exhibit 2 to the Declaration of Carla Schneider and the TRO shall become unsealed.

12. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order on two days' notice to Plaintiff or on shorter notice as set by this Court.

13. The five thousand dollars (\$5,000.00) bond posted by Plaintiff shall remain with the Court until a final disposition of this case or until this Preliminary Injunction is terminated.

Dated: February 22, 2022



Honorable Edgardo Ramos

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TREBCO SPECIALTY PRODUCTS INC.,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS, AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE A TO THE
COMPLAINT,

Defendants.

Case No.: 1:22-cv-00655-ER

SCHEDULE A TO THE PRELIMINARY INJUNCTION ORDER

Doe No.	Defendant Seller	Defendant Online Marketplace
1.	Balala Princess Store	https://www.aliexpress.com/store/1158855
2.	China Toy Store	https://www.aliexpress.com/store/910748071
3.	Disway Store	https://www.aliexpress.com/store/912685156
4.	Little Baby House Store	https://www.aliexpress.com/store/2399036
5.	My Little Byby	https://www.aliexpress.com/store/5426125
6.	Shop911240103 Store	https://www.aliexpress.com/store/911240103
7.	[REDACTED]	[REDACTED]
8.	COU Store CA	https://www.amazon.ca/s?me=AOQT5B5B91MKJ
9.	dfgdfsghhhh	https://www.amazon.com/sp?seller=A1EKK6H2TQQ4M4
10.	[REDACTED]	[REDACTED]
11.	EASYMOM	https://www.amazon.ca/s?me=A34CG1JIHW68KM
12.	Fujian Yongchun Tuoluzhe Trading Co., Ltd.	https://www.amazon.com/sp?seller=A2LUSG9WSMCEE1
13.	Guanxingg	https://www.amazon.com/s?me=AQ455HIP5WIDS
14.	HappGrand	https://www.amazon.com/s?me=A3HYFD8428GMXN

Doe No.	Defendant Seller	Defendant Online Marketplace
15.	HAPPSAN Happsan/shenzhenshishangxijiayouxiangongsi	https://www.amazon.com/s?me=A1MBGUBAZVKHJ7
16.	ITFABS	https://www.amazon.ca/s?me=A24DB13ZOYCXIL
17.	100kME-H	https://www.amazon.com/sp?seller=a2v6mmnx72cih5
18.	RTYUBV	https://www.amazon.com/sp?seller=A1O1WDH1DTX4LB
19.	Tian He Qu Shang Yuan Gang Dong Tou Gang Yi Xiang	https://www.amazon.com/sp?seller=A9Y9XKNRBWGJ4
20.	TiyaC	https://www.amazon.com/s?me=ATXNPMMC90XVI
21.	Xisper US	https://www.amazon.com/sp?seller=AL0956VFKGM4B
22.	Yuye-xthriv / SHEN ZHEN SHI YU YE MAO YI KE JI YOU XIAN GONG SI	https://www.amazon.com/s?me=A2WT0TMMYNCC7
23.	Y-YUNLONG	https://www.amazon.com/sp?seller=awjvvviowxyyu
24.	2015blitz	https://www.ebay.com/usr/2015blitz
25.	abuahmad89	https://www.ebay.com/usr/abuahmad89
26.	[REDACTED]	[REDACTED]
27.	bestservicephone8819	https://www.ebay.com/usr/bestservicophone8819
28.	betterlalaphone919	https://www.ebay.com/usr/betterlalaphone919
29.	deah05	https://www.ebay.com/usr/deah05
30.	eazipro	https://www.ebay.com/usr/eazipro
31.	home*essentials*uk	https://www.ebay.com/usr/home*essentials*uk
32.	Jbna-95	https://www.ebay.com/usr/jnba-95
33.	joygoing	https://www.ebay.com/usr/joygoing
34.	kurakura52	https://www.ebay.com/usr/kurakura52
35.	London-unites	https://www.ebay.com/usr/london-unites
36.	moredealphone99	https://www.ebay.com/usr/moredealphone99
37.	motorcarshop	https://www.ebay.com/usr/motorcarshop
38.	motorpartsvalue	https://www.ebay.com/usr/motorpartsvalue
39.	pubsan0	https://www.ebay.com/usr/pubsan0
40.	thegoodbdz	https://www.ebay.com/usr/thegoodbdz
41.	thestylehome	https://www.ebay.com/usr/thestylehome
42.	yanrzheng6	https://www.ebay.com/usr/yanrzheng6
43.	All Toy	https://www.joom.com/en/stores/5d9e9bb58b4513030195876b

Doe No.	Defendant Seller	Defendant Online Marketplace
44.	Cute Toys	https://www.joom.com/en/stores/5e1965d328fc7103013ff1f9
45.	Dosma children store	https://www.joom.com/en/stores/1509595692131872152-107-3-709-3560419386
46.	Fairyland	https://www.joom.com/en/stores/5b46cd0d8b451303cc5c9bd3
47.	HappyToy	https://www.joom.com/en/stores/1492666559960361839-76-3-26193-2389248337
48.	JKBABY	https://www.joom.com/en/stores/60ee39ab6a5980d4a38258d8
49.	Perfect child	https://www.joom.com/en/stores/5ea103441436d4030141f2f6
50.	Toy Center	https://www.joom.com/en/stores/5dde47c236b54d030128b22b
51.	317YHLAN	https://www.wish.com/merchant/5dc8d2e8e2567168eeb1af58
52.	AndohDi	https://www.wish.com/merchant/5fadbf39b11d510052971098
53.	biaoxingtianxia	https://www.wish.com/merchant/5d5bfd957716f5166ebc6fb6
54.	Catshop.vicky	https://www.wish.com/merchant/5f73d18ade6a5337a8ce3c55
55.	corrie7ql8dgka0	https://www.wish.com/merchant/5e8186aab6aaab193a0221f8
56.	DINGLILILI175	https://www.wish.com/merchant/5d5e66779a57b322cbdecb48
57.	enzymopathy	https://www.wish.com/merchant/5f8df215db05349d2d59bb11
58.	Foster McGrath	https://www.wish.com/merchant/5ea3e3090e12d6004bc17f94
59.	gerik6pnejnj1	https://www.wish.com/merchant/5e80a8a4e273cd57004b25a6
60.	JJL-jiang866	https://www.wish.com/merchant/5e881051c77ae3d442b247c0
61.	KidsMart2	https://www.wish.com/merchant/5fd922ff686bfaf6f49be926
62.	LILILI729	https://www.wish.com/merchant/5d5907e31d86296d6442ede8
63.	lomentaceous	https://www.wish.com/merchant/5f8dc3093de3056a7dea8c29

Doe No.	Defendant Seller	Defendant Online Marketplace
64.	NewAppStores	https://www.wish.com/merchant/5fda950a379e7875f0d62041
65.	nicholsonite	https://www.wish.com/merchant/5f8e66b406860d4e0f488a0d
66.	Ocean path	https://www.wish.com/merchant/616ecc7e5b6890b5b1b20a2c
67.	petraguess	https://www.wish.com/merchant/5fdcb9b69cc1788baed9a750
68.	queensmall	https://www.wish.com/merchant/603bb635505797419b3f4618
69.	taglispigali	https://www.wish.com/merchant/5fce9d2890834c04e20200f7
70.	Tigritospolar	https://www.wish.com/merchant/5fbe81af88f1c17dfa9ff6a
71.	Vencas	https://www.wish.com/merchant/60da8e7e0ac4325fb50bfeca
72.	XUE_xue	https://www.wish.com/merchant/5dce67235f391e3fc2e3ab6f
73.	yal546623	https://www.wish.com/merchant/5e5f7beba6757d251943049b
74.	yonfhsua	https://www.wish.com/merchant/6079332affb8d31b00a0fdb
75.	Zenithdorri	https://www.wish.com/merchant/5fda09b6cb13b4f8dca7dc1c
76.	zhuyanshangmao	https://www.wish.com/merchant/5e6746d129e786700f176d56
77.	zymolyte	https://www.wish.com/merchant/5f8dd00ceaac3569f0c84f3c